

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

STANLEY FITZPATRICK,

Petitioner,

-vs-

MARGARET BRADSHAW, Warden,

Respondent.

:

Case No. 1:06-cv-356

:

District Judge Susan J. Dlott
Magistrate Judge Michael R. Merz

:

**ORDER GRANTING REQUEST TO WITHDRAW AND APPOINTING
NEW COUNSEL**

This capital habeas corpus case is before the Court upon further consideration of correspondence from attorney James Schuster regarding his and attorney VanderLaan's representation of Petitioner (ECF No. 137, 138). It appears from lack of notice from Mr. Schuster that he has been unable to resolve the difficulties in this representation which are being kept confidential to protect attorney-client privilege. Because Petitioner has been assigned an execution date, the Court cannot further delay in resolving these difficulties.

It is accordingly ORDERED that Messrs. Schuster and Vanderlaan's request to withdraw is GRANTED, effective as of the date of this Order. Deborah Williams, Federal Public Defender for the Southern District of Ohio, is hereby appointed as counsel for Petitioner and requested to assign two or more attorneys from the Capital Habeas Unit as counsel to Mr. Fitzpatrick. Those

attorneys should enter their appearances and assume the obligations of representation forthwith.

March 28, 2016.

s/ *Michael R. Merz*
United States Magistrate Judge

Copy: Deborah Williams